STATE OF ARIZONA FILED

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OCT 2 1 2013

DEPARTMENT OF INSURANCE

DEPT		INDURANCE
BY _	((5)

In the Matter of the Withdrawal of	BY CX
m the matter of the trianglement of) Docket No. 13A-129-INS
Bird Insurance Company (NAIC No. 12996))
(NAIC NO. 12990)) ORDER
)
Petitioner.))

Based upon reliable evidence provided to the Director of Insurance by the Assistant Director of the Financial Affairs Division of the Arizona Department of Insurance ("Department"), the Director finds as follows:

FINDINGS OF FACT

- 1. Petitioner is currently licensed in the State of Arizona as a life insurer.
- 2. Petitioner surrendered its Certificate of Authority to the Department.
- 3. Petitioner filed with the Department certified copies of Resolutions of the Petitioner's Board of Directors and the Petitioner's shareholder(s) authorizing Petitioner to withdraw from the insurance business by dissolution.
- 4. Petitioner filed its certified financial statement as of September 30, 2013 with the Department.
- 5. Petitioner has no outstanding obligations under any policies of insurance, whether written direct or through reinsurance ceded to it, to policyholders or claimants.
- 6. Petitioner has a \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").
 - 7. The Department holds a \$301,000 statutory deposit on behalf of the Petitioner.

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CONCLUSIONS OF LAW

- 1. Petitioner has complied with the provisions of A.R.S. § 20-217 and with A.A.C. R20-6-303 relating to the surrender of its Certificate of Authority and its withdrawal from the insurance business.
- 2. Petitioner has complied with the provisions of A.R.S. § 20-588 and with A.A.C. R20-6-303 relating to the release of its \$301,000 statutory deposit.

ORDER

- 1. Petitioner's request to terminate its Certificate of Authority is granted.
- 2. Petitioner may file its Articles of Dissolution with the Arizona Corporation Commission ("ACC").
- 3. Petitioner is entitled to the release of its \$301,000 statutory deposit. The Department shall release the Petitioner's statutory deposit after the Department receives the following: (a) an ACC certified copy of Petitioner's ACC filed Articles of Dissolution, and (b) payment of any outstanding IERF invoices. The Director has no personal liability for the release of such deposit so made by her in good faith as provided in A.R.S. §20-588(B).
- 4. Petitioner shall file its 2013 Annual Statement including applicable fees with the Department unless it files Articles of Dissolution with the ACC on or before December 31, 2013.
- 5. Petitioner shall pay its Certificate of Authority renewal fee to the Department and file its 2013 Annual Form "B" Registration Statement with the Department unless it files Articles of Dissolution with the ACC on or before March 31, 2014.

1	6. The Department shall refund to the Petitioner the \$100.00 that was previously		
2	credited to the IERF pursuant to A.R.S. § 20-159.		
3	Effective this <u>alst</u> day of <u>October</u> , 2013.		
4			
5	GERMANIE L. MARKE		
6	GERMAINE L. MARKS Director of Insurance		
7	COPY of the foregoing mailed/delivered		
8	this day of, 2013, to:		
9	Ross Fisher, Secretary / Treasurer Bird Insurance Company 4909 E. Wasatch Drive		
10	Anaheim, California 92807		
11	Germaine L. Marks, Director of Insurance		
12	Mary Butterfield, Assistant Director Kurt Regner, CFE, Assistant Director		
13	Catherine O'Neil, Consumer Legal Affairs Officer Arizona Department of Insurance		
14	2910 N. 44 th Street, Suite 210 Phoenix, Arizona 85018		
15	R. A.		
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